



VIA HAND DELIVERY APRIL 21, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Ruben et al.

Attorney Docket No.: PZ011

Application No.: 09/776,724

Group Art Unit: 1631

Filed: February 6, 2001

Examiner: C. Ly

For: Human Protein HOSDK95 (as amended)

REQUEST FOR CORRECTED PUBLICATION UNDER 37 C.F.R. § 1.221(b)
DUE TO MATERIAL OFFICE MISTAKE

Mail Stop PGPUB
Commissioner for Patents
Washington, D.C. 20231

RECEIVED

APR 23 2003

TECH CENTER 1600/2900

Sir:

Applicants respectfully request a corrected publication of the above-listed application pursuant to 37 C.F.R. § 1.221(b) due to a material mistake made by the Office. In particular, the title page of the published application fails to list 9 applications to which the instant application claims benefit under 35 U.S.C. § 119 (*see* under "Related U.S. Application Data").

The above mistake is apparent from Office records, as page 1 of the published application contains the correct list of 20 priority applications in its entirety. *See*, U.S. Patent Application Publication 2003/0050455 A1, paragraph no. [0002]. Moreover, the mistake is material, as the missing priority data affects the use of the published application as prior art under 35 U.S.C. § 102(e). In particular, without inclusion of all priority data together on the first page of the published application, an examiner or member of the public could mistakenly believe that these are the only applications to which the present

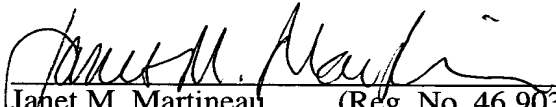
application claims priority. In fact, however, the present application claims priority to applications which, *inter alia*, were filed more than one year prior to the application solely listed as "Related U.S. Application Data." Hence in order to properly assess priority (*e.g.* for 35 U.S.C. § 102(e) purposes), an examiner or member of the public would be required to *know* it was necessary to search the remainder of the application for *additional* priority applications not shown in the "Related U.S. Application Data." section; thus nullifying the usefulness of this section in patent application publications.

Accordingly, Applicants respectfully request that a corrected publication of the above-listed application be made pursuant to 37 C.F.R. § 1.221(b).

No fee is believed due for this submission. In the event that a fee is required in connection with this submission, please charge the required fee to Deposit Account No. 08-3425.

Respectfully submitted,

Date: April 21, 2003


Janet M. Martineau (Reg. No. 46,903)
Attorney for Applicants

Human Genome Sciences, Inc.
9410 Key West Avenue
Rockville, MD 20850
(301) 315-2723 (phone)

KKH/JMM/FR/ba